

SIKKIM



GOVERNMENT

GAZETTE

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Gangtok

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No. 82

**SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
SONAM TSHERING MARG, GANGTOK, SIKKIM, 737101**

BULLETIN PART-II

No. 08

Monday

11th November, 2019

ORDER OF THE HON'BLE SPEAKER

The Order of the Hon'ble Speaker is reproduced below:

"Whereas the matter Pahalman Subba and Other Versus Ugen Nedup Bhutia and Others regarding disqualification of 7(seven) Members of the 9th Sikkim Legislative Assembly under Article 191(2) and para. 2(1)a r/w 6(1) of the Tenth Schedule of the Constitution of India was kept at abeyance vide the Sikkim Legislative Assembly Secretariat letter No. 243/L&PA dated 23/09/2019.

And Whereas the petition for disqualification of 7(seven) MLAs of the 9th Sikkim Legislative Assembly had been submitted on 28/6/2018 to the Assembly Secretariat during the tenure of the Speaker of the 9th Sikkim Legislative Assembly and still remains pending during the 10th Sikkim Legislative Assembly.

And Whereas in accordance to the provisions under Article 172 of the Constitution of India, an order bearing No. SKM/GOV/2019/224 dated 27th May, 2019 issued by Raj Bhavan, Gangtok stating that the 9th Sikkim Legislative Assembly constituted vide Order No. SKM/GOV/2014/435 dated 23rd May, 2014 stood dissolved on 27th May, 2019.

There is therefore no occasion for the Hon'ble Speaker of the present 10th Vidhan Sabha to take cognizance of the said petition.

Therefore with powers conferred upon the Speaker of the 10th Sikkim Legislative Assembly under clause 9 of The Members of Sikkim Legislative Assembly (Disqualification on Ground of Defection) Rules, 1985, it is hereby directed that "Since the incumbent Speaker has no jurisdiction pertaining to matters of the 9th Vidhan Sabha, the matter raised in the petition for disqualification under the Tenth Schedule and to the Rules made there under pertains to the previous Vidhan Sabha and with the dissolution of the 9th Vidhan Sabha the petition has been rendered infructuous".

The matter stands disposed of."

**Gopal Pd. Dahal, SLASS,
Secretary**